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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00448-IM

Plaintiff,

v.

**DECLARATION OF COUNSEL IN
SUPPORT OF UNOPPOSED MOTION
TO CONTINUE TRIAL DATE**

ADRIAN RUBEN DE LOS RIOS,

Defendant.

I, Elizabeth G. Daily, declare:

1. I am the attorney appointed to represent Adrian Ruben De Los Rios, in the above-entitled case.
2. A jury trial in this case is currently scheduled for November 16, 2021. Mr. De Los Rios was arraigned on October 21, 2020. Three continuances have previously been obtained by the defense.
3. Mr. De Los Rios has received discovery and the defense is conducting investigation in his case, including obtaining information relating to circumstances of the offense and Mr. De Los Rios' background. This information relates to pretrial litigation, trial, and sentencing.

4. A related state case is currently pending in Multnomah County Circuit Court Case No. 20CR43291, with the next scheduled call date on November 18, 2021. The conduct charged in the state prosecution overlaps with the conduct charged in this federal indictment. The government has indicated that, once state charges are resolved, it anticipates seeking a dismissal of the federal case. In the state case, Mr. De Los Rios has been made eligible for the Multnomah County Justice Reinvestment Program (MCJRP). He has participated in a risk assessment evaluation and a judicial settlement conference. The state parties are negotiating a resolution. A continuance of 120 days will provide time for the state charges to be resolved.

5. Mr. De Los Rios remains fully compliant with the conditions of his federal pretrial release. He was also released by the state court and has made all of his appearances in that case.

6. For these reasons, Mr. De Los Rios respectfully requests that this Court continue his case for a period of at least 120 days.

7. I have discussed with Mr. De Los Rios his right to a speedy trial. He agrees to the continuance and knows it will result in excludable delay under the provisions of 18 U.S.C. § 3161(h)(7)(A) of the Speedy Trial Act.

8. Assistant United States Attorney Thomas Ratcliffe has no objection to this motion.

9. I make this motion in good faith and not for the purpose of delay.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on November 2, 2021, in Portland, Oregon.

/s/ Elizabeth G. Daily
Elizabeth G. Daily
Attorney for Defendant